<u>REMARKS</u>

Reconsideration and allowance of this application are respectfully requested in light of the above amendments and the following remarks.

Claims 11 and 13 have been amended, claim 14 has been cancelled, and claim 15 has been newly added. The amendments have been drafted to overcome the indefiniteness rejections applied to claims 11, 13, and 14. Support for the amendments is provided, for example, in Figs. 4A, 4D, and 9 and paragraphs [0056] and [0076] of Applicants' published specification. (It should be noted that references herein to the specification and drawings are for illustrative purposes only and are not intended to limit the scope of the invention to the referenced embodiments.)

Claims 11-14 were rejected, under 35 USC §102(e), as being anticipated by Toskala et al. (US 6,917,602). To the extent that these rejections may be deemed applicable to the amended claims presented herein, the Applicants respectfully traverse as follows.

Claim 11 now defines a transmitting method in which a terminal apparatus: (1) receives information relating to a number (at least two) of transmission signals and (2) transmits the same number of access signals, each of which is identical, as the number of transmission signals to which the information relates.

The Office Action proposes that Toskala's acquisition indicator (AI) corresponds to the claimed information relating to a number of transmission signals (see Office Action section 5, lines 3-7). However, Toskala discloses that a Node B transmits the AI to a user equipment (UE), when the Node B correctly receives an access preamble from the UE, so as to stop the UE from sending another preamble (see Toskala col. 4, lines 53-56). Thus, Toskala's AI relates, at most,

to a single (previous) preamble, whereas the claimed information relating to a number of transmission signals relates to at least two transmission signals since this number is the same as the number of transmitted access signals and the number of access signals includes an access signal and a duplicate thereof.

The Office Action additionally cites Toskala's column 6, lines 11-20, for providing a disclosure of subject matter relating to claim 11 (see Office Action section 5, lines 8-10). In this and other cited material, Toskala discloses that: (1) the UE transmits a random access channel (RACH) message in response to receiving the Node B's AI (see Toskala col. 4, lines 59-63), (2) the Node B transmits a collision detection indicator (CDI) to the UE if the RACH message is not received (see col. 6, lines 11-14), and (3) the UE retransmits the RACH message in response to receiving the CDI (see col. 6, lines 14-20).

As may be determined from the description above, Toskala does not identically disclose the Applicants" claimed subject matter of a terminal apparatus that (1) receives information relating to a number, which is at least two, of transmission signals and (2) transmits the same number of access signals, each of which is identical, as the number of transmission signals to which the information relates.

Accordingly, the Applicants submit that Toskala does not anticipate the subject matter defined by claim 11. Independent claim 13 now similarly recites the above-mentioned subject matter distinguishing method claim 11 from Toskala, but with respect to an apparatus. Therefore, allowance of claims 11 and 13 and all claims dependent therefrom is considered to be warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,

/James Edward Ledbetter/

Date: February 26, 2010   James E. Ledbetter
JEL/DWW/att   Registration No. 28,732

Attorney Docket No. 009289-06187
Dickinson Wright PLLC
1875 Eye Street, NW, Suite 1200
Washington, DC 20006
Telephone: (202) 659-6966
Facsimile: (202) 659-1559
DC 9289-6187 150314